

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
LUIS ALBERTO ESPINOZA SARMIENTO,	:	
GEOVANI PEREZ, ALFREDO PEREZ,	:	
JASMANY ADRIAN ORTIZ FERNANDEZ,	:	
MILTON HERNANDEZ, WILSON	:	22-CV-9718 (VSB)
HERNANDEZ, and CIRILO TORRES,	:	
individually and on behalf of all others	:	<u>ORDER</u>
similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
FLAGGE CONTRACTING INC.,	:	
FRANCISCO RODRIGUEZ and MIGUEL	:	
RODRIGUEZ MONTEIRO, as individuals,	:	
	:	
Defendants.	:	
	:	
-----X		

VERNON S. BRODERICK, United States District Judge:

On November 29, 2022 Defendants Francisco Rodriguez and Miguel Rodriguez were served via individuals at their respective residences, and on November 30, 2022, Defendant Flagge Contracting Inc. was served via the Secretary of State of the State of New York. (Docs. 9, 10.) On January 3, 2022¹, Plaintiffs filed proposed certificates of default and corresponding affirmations against each of the Defendants. (Docs. 21–24, 29, 30.) The Clerk’s Office entered certificates of default against all three Defendants. (Docs. 27, 28, 31.) On April 5, 2023, I ordered Plaintiffs to submit the remaining required filings by April 14, 2023 in accordance with Attachment A of my Individual Rules and Practices in Civil Cases. (Doc. 33 (“Individual Rules”).) On April 17, 2023, Plaintiffs filed a motion for default judgment as to all Defendants, (Doc. 34), an Affirmation in support of the motion for default judgment with supporting exhibits,


¹ Only sufficient docket entries will be considered by the Court in this matter.

(Doc. 35), and a supporting memorandum of law, (Doc. 36). However, Plaintiffs have failed to file the required Order to Show Cause for default judgment in accordance with Attachment A of my Individual Rules. Accordingly, it is hereby

ORDERED that Plaintiffs follow the default judgment procedures outlined in Attachment A of my Individual Rules and Practices in Civil Cases and submit the required Order to Show Cause by May 16, 2023. Failure to do so will result in dismissal of this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: May 11, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge